

AFFIDAVIT

State of Ohio)
) ss
 County of Franklin)

Before me, the undersigned notary, personally appeared John David Freshwater, who having first been duly sworn, deposes and says:

1. Affiant has personal knowledge of all matters set forth in this affidavit;
2. Affiant was interviewed by two investigators hired by the Mount Vernon City School District. According to the contract between the Mount Vernon City School District and the Mount Vernon Education Association affiant understands that Article 4, *Teaching Conditions*, Section 402, *Investigation of Complaints*, states, *The person against whom the complaint is made will be given the opportunity to provide a comprehensive written response to the complaint if he/she chooses to do so*. Even though I have never been a member of any union or the Mount Vernon Education Association, for the first time in my life I now understand I am protected by the union contract.
3. I was asked so many questions by the investigators that I'm glad I can go back and provide more information. When I was asked questions by the investigators I answered the best I could. I recorded my conversation with the interviewers because my attorney told me many times words can get misinterpreted or written wrong. So I taped the interview with a recorder. I've listened to the tape many times after the interview – at least ten times. I do not like the sound of my voice and all the um's and ah's I use when I speak. Each time I listened to the interview recording I thought of more stuff I wanted to add. So I am glad I can write a statement to help explain stuff in case you investigators do not ask me certain questions when we meet again next week on Wednesday on May 28, 2008. Because it is just my nature or habit to answer questions by repeating the question, it is my understanding I am to write and speak as if I were writing a letter or giving a speech to the world to explain things. It is my understanding I am trying to speak and write so that people could not misunderstand what I am saying. I know when I speak I am thinking of a million things and sometimes what I say can be confusing so it is my understanding to think, write and speak with a goal of communicating as clearly as I can.
4. Like I said it was either Mr. White or Mr. Short that said we would start getting permission slips from students. In my 17 years as the FCA monitor we never had to get a permission slip for students to attend. Some of the students were upset about having to get permission slips. As the facilitator, monitor, supervisor for the FCA I just tried to facilitate between the kids concerns and what my administration wanted them to do. What I couldn't understand then and don't understand now looking back on it was why there was so much confusion. It seemed like Mr. White would say one thing one day and something else another time. This right here finally made it clear. Bill White's memo to all club group advisors and staff dated April 2, 2008, regarding sign in sheets and

permission slips. Finally, there was something in writing. If Mr. White had been clear before about needing permission slips then why would he need to put this memo out to everybody. I mean when they told me they wanted to start getting permission slips I had to make up a form. They say they wanted permission slips but did not give me a form. It was 2-3 weeks later, after they said they wanted permission slips that they even gave me a form to use. It was my initiative to create the first form. Then look at this. This is an email I got. It wasn't to me but the secretary to Mr. White. This says who has a permission slip. If I wasn't telling the kids to have permission slips then why would there be slips here from 19 students. I mean look at these names they have. Why don't these investigators have these documents?

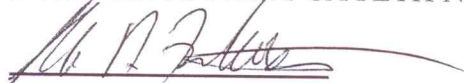
5. In the interview I said "December" may have been when I created the permission form. You know when it happened I did not know I needed to remember when that happened but I think it was actually late January. I think it was after I received the letter from Mr. White about the Tesla Coil. And I remember that because that was when I went to the board meeting to find out anything I could about this. And my notes show I went to the board meeting on March 10th and I remember the question that kept coming up was what about those students who just wanted to check out FCA to see if it was something they wanted to do. Also in the interview I said "January or February" was when I went to the school board but my notes actually show it was March 10th. Now it makes more sense - in this note on March 4 I sent an email to Mr. White about his email from Friday. Lets see, Friday was first time I heard that permission slips had to come from the students in the leadership meeting. I started keeping these notecards on February 29. Also on March 4 FCA was cancelled because there was no speaker and I emailed Mr. White about permission slips.
6. Look at this note here. On March 19th Mr. White called me to his office. My notes say -
 - ask what is my position in FCA - reply - facilitator - monitor
 - Bill - #2 complaints about Tuesday - March 18th meeting - Pastor Zirkle
 - That his son was "dragged" into FCA and had no permission slip + had no permission slip
 - Then I prayed with my hands raised up + I was chasing + driving out the devil - my response "so you are saying I had an exorcism"
 - (next card)
 - I explain what happened - Zirkle had object lesson "hot seat" He talked about his Dr. appointment. Then he prayed - student prayed
 - I had arms up (Dr. appointment - physical therapy on shoulder that day) - told him
 - discuss - students in hall + unsupervised at lunch
 - discuss - after school + before school - no permission slips
7. You know at the time when Mr. White was asking me about FCA and what happened on March 18 I did not know the identity of the student or their family who was making the complaint. Remember I didn't know who was making any complaints until Mr. White told me on like April 20 something. But looking back I remember Zach Dennis' calling his mom because he wanted to attend FCA but one of the leadership told me that Zach

didn't turn in a permission slip. He asked if he could call his mom and I told Zach we could call this time but he had to bring a slip if he wanted to attend in the future. You know looking at these speaker request forms Zach Dennis called Jeff Cline and that was on March 4 when there was no FCA meeting so I think that is the day he called his mom. After that day when he called his mom – the next meeting – the March 10 meeting was when Zach was turned away from my classroom where the leadership meeting was taking place. So if Zach is the one who said I raised my arms in FCA when Pastor Zircle was there that would be wrong because Zach had been told by me he could not come back to FCA without a permission slip so he would not have even been there. Plus we had a student checker at the door checking off who was in the meeting and whether they had a permission slip. If the student checker or I knew someone didn't have a permission slip they had to leave.

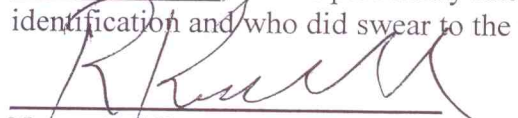
8. On March 7th Mr. White called me down to his office and he had the folder that Ruthie keeps with the permission slips. I was kind of taken back because Mr. White was asking me about permission slips for 7th grade FCA and the way he was asking was like he caught me doing something wrong. He wanted to know why there were only 2 permission slips for 7th grade. I told him to ask Lori Miller because I didn't supervise 7th grade. I talked to Lori right after Mr. White and she told me Mr. White had already talked to her before he talked to me. Lori said Mr. White told her calling and getting verbal permission from parents was "not sufficient enough". But get this, on April 29 there was a field trip to the Naz and there were two students – Corey Kester and Cory Beltz – that did not have permission slips. I can't remember but I will find out. But either Lori or Becky Cronk called their parents for permission to attend the Naz trip. I asked Becky about this and told Becky that Lori told me about what Mr. White said to her. Becky said she didn't want to get involved but that what Lori said was the truth. Mr. White told Becky Cronk that it was better "ask for mercy rather than ask for permission – because it is easier". How come Becky can take a student to the Naz off school grounds without a permission slip but a student who wants to check out FCA has to have a signed permission slip. The Naz is a Christian University that actually teaches Christianity.
9. April 2nd Mr. White and Mr. Short told me in Mr. White's office that a parent called in and said I talked about Easter and Good Friday. Somebody said Bible's were being passed out by students and that I talked about abortion. I don't know who made the accusation but it could not have been Zach Dennis because he stopped coming to FCA when I told him he needed a permission slip and that was back on March 4th or 10th. I never passed out any Bibles. I don't have any to pass out to anyone. They also told me that Steve Short was told by his authority to have Mr. White start attending FCA. I was glad that Mr. White would start coming so they could hear the students. The students ran a good meeting. I thought he would be impressed by what he saw. Mr. White and Brad Ritchey both came to FCA and stayed for the whole time when Captain Bender was here from the Salvation Army. They must have taken notes while they were there because Mr. White called me in 7th period because he didn't have a permission slip for Doug Reitsma and Nestor – I can't remember her first name right now – I know she always had a Bible with her. I kept a copy of the permission slips and showed him that I had both of them.

10. I tried very hard to make sure I was doing the right thing for the administration and still be there facilitating for the students. More than once we had to tell kids to leave because they didn't have a permission slip. I remember Zach Dennis was told he couldn't stay. The Miglin's – two sisters who are a year apart – were told they had to leave and their mother was the guidance counselor – Sherry Miglin. I mean come on - if the permission slips were so important then why didn't another school employee understand it and she works in the office down the hall from Mr. White. Here's my note from April 18th when Pastor Fennel spoke at FCA. About 5 students had to leave including the Miglin sisters.

FURTHER AFFIANT SAYETH NAUGHT.


John Freshwater

The foregoing affidavit was sworn to and acknowledged before me this May 23, 2008, by John Freshwater, who is personally known by me or who provided satisfactory identification and who did swear to the truthfulness of the above.


Notary Public



R. KELLY HAMILTON, ATTORNEY AT LAW
Notary Public
in and for the State of Ohio
My Commission Has No Expiration Date
Section 147.03 R.C.